

EXHIBIT 10

MONROE COUNTY CLERK'S OFFICE

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Date: 08/26/2020

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Return To:
AARON H. MARKS
601 Lexington Avenue
NEW YORK, NY 10022

Posadas de Puerto Rico Associates, L.L.C.

Condado Plaza Acquisition, LLC
Condado Plaza Acquisition Lagoon, LLC
Condado Acquisition Plaza Ocean, LLC

Total Fees Paid: \$0.00

Employee:

State of New York

MONROE COUNTY CLERK'S OFFICE
WARNING – THIS SHEET CONSTITUTES THE CLERKS
ENDORSEMENT, REQUIRED BY SECTION 317-a(5) &
SECTION 319 OF THE REAL PROPERTY LAW OF THE
STATE OF NEW YORK. DO NOT DETACH OR REMOVE.

JAMIE ROMEO

MONROE COUNTY CLERK



EXHIBIT D

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FOURTH JUDICIAL DEPARTMENT

POSADAS DE PUERTO RICO ASSOCIATES, L.L.C.,

Plaintiff-Respondent,

-against-

CONDADO PLAZA ACQUISITION, LLC, CONDADO PLAZA
ACQUISITION LAGOON, LLC and CONDADO PLAZA
ACQUISITION OCEAN, LLC,

Defendants-Appellants.

App. Div. Docket No.:

Monroe County Clerk's Index No.:
E2020003156

ORDER TO SHOW CAUSE

UPON the annexed affirmation of Anthony D. Dougherty, dated July 20, 2020, and the exhibits annexed thereto, and the accompanying memorandum of law, dated July 20, 2020, and all papers and proceedings heretofore had herein,

LET Plaintiff-Respondent Posadas De Puerto Rico Associates, L.L.C. ("Respondent") show cause before this Court at the M. Dolores Denman Courthouse, located at 50 East Avenue, Rochester, New York 14604, on the _____ day of _____, 2020, at 10:00 a.m. or as soon thereafter as counsel may be heard, why an Order should not be made and entered pending the hearing and determination of Defendants-Appellants Condado Plaza Acquisition LLC, Condado Plaza Acquisition Lagoon, LLC and Condado Plaza Acquisition Ocean, LLC's (collectively, "Appellants") appeal of the Order of the Supreme Court of the State of New York, County of Monroe (Hon. J. Scott Odorisi, J.S.C.), dated July 16, 2020 and entered in the office of the Clerk of the Court on July 17, 2020 (the "Trial Court Order"):

- I. Pursuant to New York Civil Practice Law and Rules (“CPLR”) § 5518, modifying, limiting, vacating or staying the anti-suit preliminary injunction granted under the Trial Court Order;
- II. Pursuant to CPLR § 5519(c), staying all actions and proceedings to enforce the preliminary injunction granted under the Trial Court Order;
- III. Pursuant to this Court’s inherent authority, staying all deadlines, proceedings and discovery in the trial court below; and
- IV. Granting Appellants such other and further relief as this Court deems just, equitable and proper;

NOW, SUFFICIENT CAUSE HAVING BEEN ALLEGED, it is hereby

ORDERED that pending the hearing and determination of this application and entry of an Order thereon, or until further Order of this Court, the anti-suit injunction and other mandatory injunctive relief set forth in the Trial Court Order are hereby stayed in their entirety; and it is further

ORDERED that pending the hearing and determination of this application and entry of an Order thereon, or until further Order of this Court, all deadlines, proceedings and discovery in the trial court below are hereby stayed; and it is further

ORDERED that service of a copy of this Order to Show Cause, together with copies of the papers upon which it is based, shall be effectuated on Respondent on or before _____, 2020 by: (i) email to Respondent’s counsel, Aaron Marks, at aaron.marks@kirkland.com; and (ii) registered United States mail, postage prepaid, return receipt requested, to Respondent’s counsel, Kirkland & Ellis LLP, 601 Lexington Avenue, New York,

New York 10022, Attn.: Aaron Marks, and shall be deemed good and sufficient service thereof;
and it is further

ORDERED that Respondent's opposition papers, if any, shall be served on Appellants' counsel, Tarter Krinsky & Drogin LLP, so as to be actually received on or before _____; and it is further

ORDERED that rely papers, if any, shall be served on or before _____.

E N T E R:

J.S.C.A.D.